

107TH CONGRESS  
1ST SESSION

# H. R. 2828

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## AN ACT

To authorize payments to certain Klamath Project water distribution entities for amounts assessed by the entities for operation and maintenance of the Project's transferred works for 2001, to authorize refunds to such entities of amounts collected by the Bureau of Reclamation for reserved works for 2001, and for other purposes.

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1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Klamath Basin Emer-  
5       gency Operation and Maintenance Refund Act of 2001”.

6       **SEC. 2. QUALIFIED KLAMATH PROJECT ENTITY DEFINED.**

7       In this Act, the term “qualified Klamath Project enti-  
8       ty” means an entity that—

9               (1) has executed a water supply contract with  
10       the United States for water from the Upper Klam-  
11       ath Lake and the Klamath River of the Klamath  
12       Project pursuant to the reclamation laws, including  
13       the Act of June 17, 1902 (32 Stat. 388), and Acts  
14       amendatory thereof or supplementary thereto;

15              (2) distributes water received under the con-  
16       tract;

17              (3) received a severely limited irrigation supply  
18       from the Upper Klamath Lake and the Klamath  
19       River based on the Bureau of Reclamation 2001 an-  
20       nual operations plan dated April 6, 2001; and

21              (4) was not reimbursed for its operation and  
22       maintenance expenses for 2001 pursuant to State  
23       law.

1 **SEC. 3. REFUND AND WAIVER OF ASSESSMENTS AND**  
2 **CHARGES FOR OPERATION AND MAINTENANCE OF KLAMATH RECLAMATION**  
3 **PROJECT.**

5 (a) IN GENERAL.—The Secretary of the Interior is  
6 authorized to pay to each qualified Klamath Project entity  
7 an amount equal to the amount assessed or charged to  
8 members of the qualified Klamath Project entity, or to  
9 other persons receiving water or drainage service from  
10 such an entity, for operation and maintenance of Klamath  
11 Project transferred and reserved works for 2001.

12 (b) CONDITIONS.—Payment under this section may  
13 be made to a qualified Klamath Project entity only after  
14 the entity has—

15 (1) provided to the Secretary documentation  
16 satisfactory to the Bureau of Reclamation, dem-  
17 onstrating the total amount assessed or charged to  
18 members of the entity or to persons receiving service  
19 from the entity; and

20 (2) executed a binding agreement under which  
21 the funds paid to the entity under this section shall  
22 be distributed to each member of the entity or per-  
23 sons receiving service from the entity in an amount  
24 equal to the amount collected by the entity from the  
25 member or person for operation and maintenance for  
26 2001.

1 (c) WAIVER OF REMAINING AND ADDITIONAL  
2 CHARGES.—The Secretary may waive any requirement  
3 that a qualified Klamath Project entity pay remaining or  
4 additional charges for operation and maintenance of  
5 Klamath Project reserved works for 2001.

6 (d) PAYMENTS AND WAIVERS FOR INDIVIDUALS.—  
7 The Secretary—

8 (1) may pay, to any individual within the Klam-  
9 ath Project who holds a contract entered into pursu-  
10 ant to the Act of February 21, 1911 (36 Stat. 925;  
11 43 U.S.C. 523–525), popularly known as the “War-  
12 ren Act”, and who is not within a district that re-  
13 ceives a payment pursuant to subsection (a) and a  
14 waiver under subsection (c), an amount equal to the  
15 amount collected from such individual for operation  
16 and maintenance of Klamath Project reserved works  
17 for 2001; and

18 (2) may forego collection from such individual  
19 of charges for operation and maintenance of such  
20 works for the remainder of 2001.

21 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

22 Amounts not paid by a qualified Klamath Project en-  
23 tity to the Bureau of Reclamation for the operation and  
24 maintenance of the reserved works for 2001 shall be fund-  
25 ed from the appropriations authorized by this Act. Costs

1 incurred by the Bureau of Reclamation in carrying out  
2 this Act shall not be reimbursable.

3 **SEC. 5. NO SUPPLEMENTAL OR ADDITIONAL BENEFIT.**

4 Activities under this Act or funded pursuant to this  
5 Act shall not be considered a supplemental or additional  
6 benefit under the Act of June 17, 1902 (82 Stat. 388),  
7 and all Acts amendatory thereof or supplementary thereto.

Passed the House of Representatives November 13,  
2001.

Attest:

*Clerk.*